

STAFFORD COUNTY
AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
May 24, 2010

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, May 24, 2010, was called to order at 7:00 p.m. by Chairman Tom Coen in the County Administration Conference Room of the County Administration Building.

Members Present: Coen, Hunt, Clark, McClevey and Adams

Members Absent: O'Hara

Staff Present: Neuhard, Baker, Smith, Stinnette, Lott and Perrotte

1. Call to Order
2. Approval of Minutes - March 22, 2010

Mr. Coen: Okay, the first order of business is to approve the minutes from March 22nd. Are there any comments, questions, deletions, queries?

Mr. Hunt: Motion for approval.

Mr. Coen: Okay, we have a motion to approve.

Mr. Adams: Second.

Mr. Coen: Second. All those in favor of adopting the minutes say aye.

Mr. Hunt: Aye.

Ms. Clark: Aye.

Mr. McClevey: Aye.

Mr. Adams: Aye.

Mr. Coen: Aye. All opposed? Alright, passes unanimous. Okay, we move onto the staff update.

3. Staff Update

- Land Conservation Conference

Mrs. Baker: I just briefly wanted to report on the land conservation conference in Williamsburg, the 11th and 12th. They had a great turnout. A lot of folks there from a lot of land trust organizations and a lot of the agencies, Department of Forestry, Department of Historic Resources and those kinds of people were there. So, they did have a lot of information. I brought a folder with some pamphlets and things, but they will have all of the presentations and things on their web page soon. And as soon as that happens, I will forward it to you so you can see the PowerPoints and the different presentations

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that they had. A lot of information focused on the tax credits and those types of benefits for having the easements and a lot of it was focused towards land trust and the landowners as well. And the Governor was there and he spent the second day at the luncheon and, of course, he made his announcement again that he is sticking with the Kaine administration's goal of another 400,000 acres to be preserved. Although he indicated that it won't be coming from a lot of state money but he hopes that land trusts and other organizations will help to do as much as they can this time around. But he still has that goal in mind. Again, I will forward information, as soon as I get that, to you. That's about it.

Mr. Coen: Any questions? Alright, and the next is the PDR Celebration Event.

- PDR Celebration Event

Mrs. Baker: We'll talk about the sign first of all. And, Marty, I'm not sure if you got my message about...

Mr. McClevey: I got it Saturday.

Mrs. Baker: We talked with Mr. Silver and he is fine with putting up a sign. He just requested that it was green instead of brown; that's not a big deal either way. But he was fine with the wording. I think we had one suggestion just to add a note at the bottom of it that says that this was purchased through Stafford County's PDR Program. And if Marty was okay with the changes or if he had any further suggestions...

Mr. McClevey: There was a lot of wording. Just to let you know, after this meeting, tomorrow when I get back to the office, I will see what I can find out.

Mrs. Baker: Okay. And if not, if we can condense it down at all... we just thought of adding that. That's how Fauquier's signs read and so people may have a better understanding that it's through the County's program and then call the County if they had any questions about it.

Mr. Neuhard: We could say Stafford County Purchase of Development Rights Program, anything that could identify it back to PDR.

Mrs. Baker: Even though it has the County seal on it I don't know if everybody recognizes the County seal or not.

Mr. McClevey: Did he suggest green because he didn't want people to think it was like a park or something?

Mrs. Baker: No, he just said he thought that looked more conservation oriented.

Mr. Neuhard: We don't want VDOT green though.

Mrs. Baker: Yeah.

Mr. McClevey: Well, like I say, again this might be something you might use in future easements or whatever. We might put a little more thought into it. I will get some ideas on what kind of green they

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have. It could be some sort of green and the lettering could be 3M reflective or it could be entirely 3M reflective. I'll see what Unicor says about it; what options they have for it. Or if they have any suggestions for other easements that maybe they've done signs for. I did send word out and did some searching to a firm that has created a universal easement sign. It looks like a radioactive sign; it's kind of weird.

Mrs. Baker: I think brown would be perfectly fine with him, he just made that suggestion.

Mr. McClevey: I understand. I'll see what I can come up with. And I will see if I can get the wording to the best of my ability. That's a lot to put at the bottom. It's like a 2' x 3' print size or something. We could make the sign to fit. Mike, obviously you want it readable from the roadway when people drive by.

Mr. Neuhard: Well, we talked a little bit about the size and I think the size is probably established, right, in terms of the maximum size of the sign.

Mr. McClevey: The sign can be any size that you want. I just suggested a 2' x 3'.

Mr. Neuhard: That sounds reasonable but it's going to depend, I think, for example where easements sit. I think you need to be able to read from 50 to 100 yards, something like that. At least you recognize it as some standard pattern or something.

Mr. McClevey: Sure. I will try to get to do a few size options or make it fit the wording.

Mrs. Baker: And the sooner, the better just because of the end of the budget year, we can use the extra money that we may be able to scrape up.

Mr. McClevey: You might want to keep in mind that if you pay for the sign, that's one thing. But then you might want to put aside \$20 or \$30 for posts or something. I'll be glad to donate that stuff.

Mrs. Baker: That won't be an issue.

Mr. McClevey: Okay, I'll work on it.

Mrs. Baker: Okay. Let me know if you need anything else.

Mr. Neuhard: We were looking at a couple dates. Did we get anything back from Mr. Silver?

Mrs. Baker: I have not heard back from him. I will send him a message. And we were looking, because the Board of Supervisors is actually looking to cut down on daytime activities, and so we were talking about looking at either an evening or a Saturday event. And we haven't heard back from Mr. Silver on that. The evening, we're talking about maybe 5:30 where it's just after work but not too late so the Board members could be there and other folks. So we were looking in June at either Saturday the 19th or Monday the 21st were the dates we threw out to the Silvers.

Mr. Neuhard: Then we would run those, if that's okay, we would run those by the Board.

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Mr. Coen: Just so the Board knows, the 19th is graduation.

Mr. Neuhard: Well, we could push it to the next weekend.

Mr. Coen: The 26th?

Mrs. Baker: Okay, we'll check on that. And we thought going much beyond June, the fields are going to be so grown then we won't be able to see anything. But it may be so hot as well that by time we may look at pushing back to the fall if we can't get anything in June. So, we will keep seeing what we can do to come up with a date.

Mr. McClevey: I think it will not be too long of a turnaround for fabrication. I think Unicor can have this in two weeks or less.

Mrs. Baker: Okay.

Mr. Coen: Do you want to talk about the other honor for the Silver farm?

Mr. Hunt: Yes. The Soil and Water Conservation District awards the Clean Farm Act to various farms and they do it every year. And somehow in the middle of it, I guess Cathy Riddle lost her public relations person and the Clean Farm Award for the Silver farm for 2009 never got presented. All that normally happens is the Soil and Water Conservation Board sends a proclamation to the County, the County puts it on letterhead, it's signed by the Board of Supervisors or whatever, and generally it's a five minute ceremony or less at a Board meeting where someone from the Conservation District makes that award. I bring that up because I just think it got hung up in the do list between Cathy Riddle losing a person and the PDR decisions that were being made. And the Soil and Water Conservation Board would just like to get that moving forward. I thought this was the right place to bring that up.

Mr. Neuhard: There should be no problem with that. It's simple enough; we'll just put it out there on the agenda and the next agenda meeting, we'll put it on there then. The earliest we have is June 15th.

Mr. Hunt: We're already late so it doesn't matter. And it is short, emphasize that it is short and please come and get the award. I will make sure the right version of the award gets sent to you.

Mrs. Baker: We'll send it to Cathy Riddle.

Mr. Hunt: Okay, but I will copy you on that.

Mr. Coen: I guess we should check to see if the 15th is good with Jerry.

Mr. Neuhard: Yeah, we'll do the coordinating.

Mr. McClevey: Does that mean they would a 2010 recipient?

Mr. Hunt: Yes. It's the Tri-County and City Soil and Water Conservation Board so it's Stafford, Spotsylvania, King George and Fredericksburg, so it doesn't cover Stafford every year. But there is an award every year.

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Mr. Neuhard: Bob, is that normally given toward the end of the year?

Mr. Hunt: Yes. I think it was September/October last year.

Mrs. Baker: Is that the same one that they did at the Glencairne Farm?

Mr. Hunt: Yes. Ray Simms got it one year, two years ago, three years ago.

4. New Business

Mr. Coen: Alright, so we move to new business which is the PDR Financing and Bond issue.

- PDR Financing and Bond Referendum

Mr. Neuhard: Does everyone know Maria Perrotte? Some of you remember her; others may not. She is our Chief Financial Officer and so we brought her in tonight to help us discuss this. We left this last month with discussion. Two things since last month; one, I did talk with the Chairman about it to see if I could get a sense from him as to where we were on that. And I really didn't get a firm answer back, yes or no, but he knows what we're talking about. And, Tom, he said he'd probably have a conversation with you about it; I don't know if you got a chance to. Also, Mr. O'Hara, of course, as you remember last time, had some questions about how it worked financially. And so we sat down with him last week at his request and went through all the numbers. And I think it was a very good meeting. We had a lot of great questions and we were able to show and answer most of his questions. And he wished that he could be here tonight, at least he indicated that to us, so that he could talk a little bit about it and how he views it right now. I think he has a much different view of it than he did when he had all the questions last month. So, I'll let him speak for himself about that and any issues he might have. What we hope to do tonight is let Maria talk with you a little bit about the financial side of it and how it works in terms of the value, and then how that was converted over the twenty year period. We'll talk about simple terms first and then we can convert it to doing it the way the committee brought forth the last time using STRIPS and how that shows the financial value of it. Now, that's one question. The next question is, once you buy off and understand the financial value of it, the question is then what's the right time and all that kind of stuff. But that's a separate question. I don't know if that will be beneficial to you, if that's what you want to do, or if there's another way you want to have this discussion.

Mr. Coen: I guess it's up to the new people. Are you all up for a little run through?

Mrs. Perrotte: I think you all have the package that was presented to the Board of Supervisors, and I'm not going to go through all of it. But just as a very basic summary, the idea behind the economic case with PDR is that residential growth has a cost associated with it; the largest being the infrastructure costs. And based on previous studies that have been done for cash proffers in the County, that comes out to about \$42,000 per residential unit. Then, additionally, based on some work done by the American...

Mr. Lott: American Farmland Trust.

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Mrs. Perrotte: American Farmland Trust, residential taxes, real estate taxes, do not fully cover the costs of ongoing expenses that are incurred on their behalf. Whereas, open farmland, it's the opposite. They pay more in taxes than they require in services. So, this is from the economic value of buying those development rights is that you pay for it but then you do not have those costs in the future, so you are not having to provide the infrastructure of the services. That's the basic premise. And in the case of the program that was used last year, paying \$30,000 for a residential unit right and then avoiding \$43,000 for infrastructure was kind of how the numbers played out when this was presented. There are a couple of ways you can come up with the money to buy the development rights because the County doesn't just come up with that \$30,000 per unit. And there could be an ongoing budget, there could be a separate half a penny on the tax rate that was allocated towards this. I believe there was a feeling that those weren't happening so that's why the Bond Referendum was proposed. And that would be an ongoing source. Every two years the County would go to the Bond market and borrow \$2 million. And that was the basic idea; mainly it was just a way that was deemed feasible to get money to buy the development rights. Once you have the money and you buy the development rights, there are a number of ways that you could actually accomplish that. You can do as the pilot program did, just outright buy them. A simple cash transaction, done deal. It was thought one way to help leverage the money that was spent was to do an IPA. Basically what you are doing is you're going to the landowner and saying we will pay you in twenty years; in the meanwhile we'll make interest payments to you. So the landowner gets interest payments for twenty years and then a balloon at the end of that time period.

Mr. Adams: Let me stop you right there. You can buy a million dollars worth of development rights from Farmer Jones. He's not going to get a dime for twenty years, he's going to get interest on whatever that...

Mr. Coen: No, he gets the interest payment every year.

Mrs. Perrotte: The interest is paid every year.

Mr. Adams: But just that.

Mrs. Perrotte: Just that. And that was just this example that was given as one option. And that was just an easy way to leverage it. That is one option. To do that, then you sort of want to make sure you are going to have that money in twenty years. So what the county does, and it gets a little convoluted, but the County buys government securities that mature in twenty years, they are called STRIPS. And so the County takes its two million dollars in bond proceeds, because the County sells bonds and gets two million dollars. Then the County buys these STRIPS that they are called, just like a savings bond, if you buy it now you pay fifty bucks but it is worth a hundred bucks in so many years. The STRIPS are the same thing. You buy them now and they are worth a lot more in twenty years. So again, it was just seen as a way to leverage the dollars. For two million dollars you might get five million dollars in STRIPS, so then you go and buy five million dollars of development rights. Then what the County is doing is they pay the debt on the bonds they used to get the money to begin with, they are also paying interest to the land owner, so that is the ongoing cost. But when it is time for the balloon payment, the money is sitting in the STRIPS and the county simply collects the STRIPS and turns it over to the landowner. That was one fairly complex method that at the time the numbers were looked at, were seen as a viable way to leverage the two million dollars a year just because it is worth so much more down the road. That is what is reviewed in this presentation. Again, that is just one tool in the tool

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box. You can do outright cash payment like we did with the pilot program. That is what this walks through, is that financial analysis. It can be seen as a little bit overly complicated. The decision as to whether or not that is the route you go can be made yearly, depending on what the landowner wants. The primary reason for that delayed sale was for tax purposes, I think. And that might not be paramount in someone's mind when they are making this decision. The STRIPS may or may not make sense financially, interest rates change. So it is really something that you would want to look at, based on what is going on at the time you are doing the program. Those are the two components, how do we get the money and then how do we actually set up that sale agreement.

Mr. Adams: I guess I would ask how effective that would be using the lottery as an example. You just won the two hundred million dollar lottery, but if you want all your money today you are only going to get this amount. You have got to take it, like you say over twenty years to get it all. It seems to me most people want that money right then and there when given that option. They don't want to wait, so I am just wondering how many people would...

Mrs. Baker: Virginia Beach and Isle of Wright County use the IPA method and one of the biggest reasons for that is, as she is saying, the tax implications. If you get paid half a million dollars up front, what is that going to do to your taxes and I don't know anything about that but the way that they do it...you might get ten thousand dollars in interest payments a year. Some people use that to either purchase new equipment or either continue to pay for upgrades to the farm. Whether or not that is sufficient to the landowner at the time, you know, depends on what you can do with a big lump sum of money and talking to your attorney...

Mr. Adams: Is that a fixed interest rate or does it float?

Mrs. Perrotte: In the example that was used it was a fixed interest rate and it was tied to the interest rate on the STRIPS.

Mr. Neuhard: There is a number of things to consider, one is no matter which way you do it, whether you leverage your money through an IPA agreement with the land owner, which some may want or whether you buy outright with the cash that you have, you still are producing a financial value that is the difference between what you are paying at the time for that development unit and what the cost of that development unit is, assuming is it above what you are paying, which there would be no reason that it would not. In our examples and really what we are doing today we would not and that is the delta. That is your financial gain is that delta. Now that assumes that it would be developed in that period of time and you are offsetting it, so that it is offsetting that cost. But you have some control over it how many you buy and how fast you buy them, and whether you go from spending two million every two years or you leverage that so you are spending five million every year. The example again that was used just to show that value, here you have...if you look at the two charts that were along with it, you can see over twenty years with borrows and expenditures you can see what your net gain is from that, both in present value and future value. That is what the charts have done. You still come out financially ahead even if you only get half of them, there is a breaking point in there somewhere, but you will always come out ahead as long as your price is lower than what the burden is on the other end.

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Mrs. Clark: Are we thinking that the way the landowner would get paid would be one of the things negotiated? At one time we talked about saying that you had to go with a IPA, is that what we are still...

Mr. Neuhard: Well I think that there are a couple of pieces that come into this, which we talk about. You could set up a program that is IPA based. It is a more complex program. I don't know if you sell that as well as you sell a simple program, it is kind of like how we talked about, originally, about negotiating the price verses setting up development unit cost. So we chose a simpler more understandable, bet on it, everybody sees what we are doing, basis. And I think it is going to be the same way with the financing. You don't have to do IPA, there is no law that says we have to do IPA. If you want to make it a policy, that is one thing and we can certainly do that. But I think the key is how much you want to leverage your money. Now, with that complexity and the more options you have, you know we do this part time, and when you start putting millions of dollars into this game and you start having different ways, then you will need full time staff doing it because you will lose track of it real quick. Somebody has to watch this game once you are talking about a multi million dollar program that. That is the other complexity. You have to be able to staff up to what you are doing.

Mr. Adams: Can you, just legally - I am just thinking out loud - can you tie it to the owner's age? So if the owner is eighty years old and they want to get in the program, the chances of them living to one hundred are not quite as good as a farmer that is fifty-five years old. I guess what I am getting at, if we say okay we are going to make it if you are under this age, IPA is the only way you can enter the program. Above this age...can you do that legally or is that discrimination?

Mr. Smith: I never thought about that issue in this context, you might have a problem. It is a voluntary program, but if you are setting that as a requirement you could set yourself up for trouble.

Mrs. Clark: Is there a reason why you go with twenty years? Couldn't you just as easily go with ten years? Could you just as easily go with ten years. Would that be a compromise between the have it all right now and the have it in twenty...that would allow you to leverage some but also would make it a little bit, not better but...

Mrs. Perrotte: I think the rational, and I could be wrong because I was not working closely with it, but for twenty years is that is the term of the bond.

Mr. Coen: That is right.

Mrs. Perrotte: There is no legal reason not to do something shorter, the program is there to be designed, pretty much.

Mrs. Clark: And we developed one thing for a pilot program. Right now we are just trying to find funding, but there is no reason why we have to have the payout done right now before we get funded, right?

Mr. Coen: No.

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Mrs. Perrotte: In fact it might be easier not to, if you do choose to go referendum with all the skepticism about some of the conflux financial dealings out there with all of the bank failures. I don't know that this is really the time to talk about a potentially very complex structure.

Mr. Coen: Right. If memory serves and we look at what the question was that we sort of pushed forward last time. It just says to have a bond of ten million dollars over ten years to finance preservation, it didn't say exactly. I think, and correct me if I am wrong, but I think we left it with the idea for the tax purposes it really is beneficial to do the STRIP. But if the landowner was really like obsessive compulsive that they wanted to do it the other way, then they could go the other way. That is just really for the benefit...there are two benefits. One is getting the money, but the other one is really the tax benefit and the tax credits that you can take advantage of. And the hit you would take on capital gains tax when you got it in a lump sum is really hard, unlike this. But if the person is like I don't care, I want it, it would give us enough flexibility if they did want it that way. Am I correct?

Mr. Adams: Instead of age, can you have a two tier price so if you take...if you want your money now we would pay this much for a development unit and if you take it over the twenty years, you would get paid a different amount for the unit to encourage people to go the twenty...

Mr. Neuhard: I don't know if we would change the price of the development unit. But you definitely are going to get different money, because you are not gonna...that interest goes away and that interest is a pretty sizable piece of money that you are getting annually. So there is a present value of that which is going to be less, if you will, that what your total payment could be including the interest over a twenty year period.

Mr. Adams: Okay.

Mr. Neuhard: It is kind of when you do win the lottery. You have a choice of the annuity over twenty years or take your money right now. Like you say a lot of people take the money right now.

Mr. Adams: It ends up that if you just had patience it is a lot more over the twenty years than right now. Okay.

Mr. Neuhard: Well if you win a million dollar lottery, I think they pay you like seven hundred thousand today if you walk away, or something like that. Well I think the main reason we wanted to talk to y'all today about this was to make sure everyone felt comfortable with the financial side of this, everyone knows the intrinsic side from that standpoint. That was one of the key issues today. The second issue is when and if the Committee wants to consider moving this back to the Board. The good thing from the Chairman was, he did not say well you have to hurry up and bring this to the Board. You do have a window if you want to get it in this round, if that is something you want to consider. Tom, I don't know if he shared anything with you or not that is helpful.

Mr. Coen: Basically, and correct me if I am wrong, if we want to get it moving to be put on this November's ballot we need to do something today to push it to the Supervisors, so that they would be able to vote on it by the...I think the August meeting is the deadline.

Mr. Neuhard: Yes.

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Mr. Coen: So that is why we were coming back, they gave us a year. They said last year they don't want two referendums on the ballot at one time. They wanted the parks and rec, so we said we would come back. From what I gather, they did tell us to come back in a year and it has been a year. So somehow we should tell them something. And I would think the options are, we go back and say okay here is what we said last year. Here it is again. We recommend it be on the November ballot. That would be option one. Option two would be, you asked us to come back, this is where it stands, you make a decision. And they can decide if they want to go with the same bond referendum idea or with a dedicated funding source by some other means. Or option three would be, you asked us to come back, this is what the facts are, you go ahead and do whatever. We don't think it is the right time to do it right now and we will come back later.

Mrs. Clark: I did have a chance to talk to Cord Sterling. Because he has been on the Board the entire time, and I know that the Board has changed since this was originally voted for. I just sort of asked his feelings and I think he was saying exactly what you are saying. We said we would love to have a dedicated line item in the budget, but we knew that was not likely. He said you are right, that is not going to happen. At least he still supported the idea and wanted the referendum to go to the public. That is what he told me. Now he did say he thought it would be a hard sell, and I think that is something that we all recognize. But he did say, because I told him that we were going to be discussing it tonight, and I felt obligated to at least get his feelings on it. He said he was still ideologically for it although he had no promises as far as the bond went and he told me that going forward with the bond referendum was inappropriate and I know he was not speaking for the rest of the Board, but I figured he had been in touch with part of the Board anyway.

Mr. Hunt: I think there are three issues. One is the value, buying PDR, the second is the funding mechanism. I am not in favor of a bond referendum, just not in favor of borrowing money to do this. And the third is the payout method. I think that is a lot of work to be done. If you were to go forward with the bond referendum now, I certainly want to be able to speak intelligently about the pay out mechanism. I think there are a lot of questions about that. Whether it is two tiered, one tiered to get your option, what the rates are. Whether it is STRIP or IPA, they are not hard things, but they are things that need to be talked about, I think.

Mrs. Clark: So are you for not doing a bond referendum and just holding out for another year and see what happens with the budget?

Mr. Hunt: Yes, but I am not going to be for a bond referendum for the next year either.

Mrs. Clark: But hoping that it would...

Mr. Hunt: Yes.

Mrs. Clark: That the economy would change enough that we could...

Mr. Hunt: The reason I said I was not for a bond referendum was because I wanted to get that on the table so that did not confuse the argument. I do think that if this Committee decided that it wanted to select the bond referendum option, you would want to have nailed down the pay out option too. I would think that...who knows in today's world whether it would pass or not, but if you weren't able to

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say this is how you pay out the money it certainly weakens the argument for the bond. I don't know if you are ready to sum up the pay out mechanism or not.

Mr. Coen: Gentlemen?

Mr. Adams: Well, I want the bond referendum, but I have got a dog in the fight. I know if it passed, I would be in here the next day to sign up for it. So, I think that kind of disqualifies me from voting, because I would have...I have already decided I am going to have a dog in the fight. Maybe that is not a conflict, but I feel it is as far as voting to proceed with it.

Mr. McClevey: I had the opportunity to speak with Mr. Woodson. I think they need more information. His position was a wait and see position and that is all I can say. I can give you more details later. I sent him an additional email to talk more in length about, to get a feel about how he feels...how the folks in Widewater might feel about it at this particular time and so forth. I don't think he had a position on it as yet. In fact he wasn't...I don't think he was aware that anything might be coming up related to a vote on the PDR from the Board's perspective.

Mr. Coen: Well, from my point of view, to me there is this sort of two for one. As far as the idea of having a specific payout mechanism, I tend to always be for more of a position of flexibility and I think that is...if we are specific about the payout mechanism, it is X, then you limit some of the people who may want to get into the program. If you say it could be X or Y, depending on what the landowner wants, but it is either going to be X or Y, then that to me is a benefit not a detraction. Those of us from the deep south of the county were stunned at the passage of the last two bond referendums. I still have yet to find anybody at my end of the county that voted for those referendums and yet they passed some parts in my end of the county. I am not quite sure how they did, so I am not sure that I know that this would not pass, especially after sitting in so many comp plan meetings and public sessions and whatever, where people have said that this is something that they want to do. To me, the only way to really get a dedicated funding source is going to be a bond. If you put it in the tax roll, I can't envision that flying and I can't envision...I think it was a miracle and I am gracious to our Board members for putting aside that chunk of money that we used for our pilot and never touching it for two years. That was wondrous and I want to personally thank every one of them for being that considerate for two years. But I can not see, especially in this climate, that happening again any time soon. Granted, I don't know that. Going before them with a bond request at this time is actually going to get the four votes needed. I know I felt awkward last time when I went before them thinking that we were going to have a bond referendum and it ended up being deferred for a year. I thought, okay I feel silly because I did not know that was going to happen. So I am a little hesitant about going on June 15th and leading the great fight if the can is going to be kicked down the road for another year. I guess everybody agrees there are three options. Go forward with a bond recommendation, go forward with this is the facts, you choose what you want to do or we go forward to the Board and say we don't think this is the time and we want to wait a year. I guess we could say that, is that fair? Am I correct in my understanding? I will put it out and see if there are any motions from the floor on the three options.

Mrs. Clark: I will say, even if we can get the bond issue past the Board, then we have a huge, huge task ahead of us, which is the education of the...selling it is going to be huge. I was talking to two friends just the other day and they had not a clue what I was talking about and I had to start at literally at square one and explain not only what PDR was, but its advantages to the regular tax payer. These were not landowners, these were people from subdivisions and that is where we are going to have to

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get our support if this passed. I think that is going to be a monumental task, but having said that I just don't know that we can ever count on getting a half penny on the taxes anytime within the next four years, three years, ever. And meanwhile farm after farm is getting sold and developed. We should have been having this discussion fifteen years...well we did have this discussion fifteen years ago and it has never gone any farther than this.

Mr. McClevey: I have a question about that, in looking at my tax assessment for this year or whatever, I realized the rate went from eighty-four cents to a dollar ten and I thought, well gee, that is kind of interesting. Why couldn't they have made it an additional penny or something toward the PDR program? I just thought they have that flexibility to manipulate the tax rate, I was amazed that it had gone up that much to compensate for the loss of tax revenue. With that said, I am just saying that I can't understand that the Board would rather go with a bond than increasing the tax rate. I thought it would be a lot easier to do that, more simple to do that than to go with what we were trying to do.

Mrs. Clark: Well, is that something we should look at again. Would it be easier to convince them next year or...

Mr. Coen: It would be an election year.

Mr. McClevey: I think Mr. Woodson is up for...

Mr. Coen: Yes, Woodson and Crisp. Okay, well I am asking, is there a motion? I know I have gone back and forth with Mr. O'Hara because I really did not want to... I knew he had one position and I really did not want to try to do anything with that. I did not get a definitive word from him if he still held his position from the last meeting or if he had changed his position from the last meeting.

Mrs. Clark: What do you think we should do?

Mr. Hunt: I would stall a year. I think there is a greater than fifty percent probability that it would not pass. If it did not pass, then you have delayed a couple of years, I think. I would stall for a year and try to either get a bond referendum or dedicated next year. I simply stated my opinion, if the Commission decides otherwise I am not going out and riot or anything. I would stall for a year just so that we would have a chance to answer a bunch of questions.

Mr. Adams: If we stall for a year, I think it would give us a lot of opportunity for education that you could not get in between now and then. I know what I said at the initial meeting, but I am kind of curious, how many lots can you buy and say alright we have eliminated a school bus. How many lots can you say well, this has probably eliminated an elementary school. That is the way with education. I know what it would do for me. It would take eleven lots out that could never be developed and would be money in my pocket, but once you start buying three or four thousand lots...

Mr. Hunt: The school system says 2.6 children per household so it does not take a lot before you have to pay for a school.

Mr. Adams: Frame some of the education in that way, this many lots buys...

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Mr. Hunt: Frankly, if you decide A, B, C on how you pay out, I would not have a problem at all with the payout plan and say you could choose A, B or C and that they were defined and laid out. I think you can sell that to the community in terms of the pay out. I don't believe there is any difficulty selling to the community that dollars invested in Purchase of Development Rights are a good return on your investment. I think you can make that and I can argue whether it is sixty-eight or forty-three but the numbers come out positive. I think you can make the case to the community that investing in PDR is a good return on the investment.

Mrs. Clark: That means you will have to reach every single voter, because ninety-nine percent of them...

Mr. Hunt: I think you could structure a multi-tiered payout program that was fair and equitable and allow the county to invest and do what it wanted to do. As I said, there are three issues, issue one and issue three, I think we could get our heads around and wrap that up. The bottom line is, we recommend to the Board of Supervisors, they are going to do what they think is politically feasible in the year that you make the recommendation. They may say lets do a bond or they may say a penny on the gas tax. Who knows? I suspect 2011 is going to be a harder economy than 2010 was, to be honest with you.

Mr. McClevey: I regret that a couple of months ago I thought of the mailing for the tax assessments. We could have used that as a means of promoting the success of the PDR program. We could have put a little flyer in there and had it in with the Commissioner of Revenue's...

Mr. Hunt: Could we do things like spots on the radio, 101.5 or whatever?

Mr. Coen: Money. I guess they have...

Mr. Hunt: They have free spots for this kind of stuff. You could get the word out.

Mr. Adams: I know the one place, the town of Warrenton, because I go to a farmers market there. They put out little blurbs, and I have never seen one, on the water bill. They put out the farmers market opens April 17th and they put that on all the water bills. You know, spring festival, it is not a big ad. It is just a little blurb...

Mr. Hunt: I was going to say the Utility Department does that sometimes...

Mr. Adams: Well, I have a well, so I would not know.

Mrs. Clark: Me too.

Mr. Coen: Staff, do you have any particular opinion? The four of you, not to put you on the spot, but I think we could at least ask your opinion. So you have been farming this issue, no pun intended, for several years now.

Mr. Hunt: You could put together a little PowerPoint presentation and you could present to Lyons clubs and Rotary clubs and get a little spot, what is that thing that comes on channel 3, they are always advertising somebody in Comcast or on the radio. Over the next year, if you wanted to you could have a very focused advertising campaign to show the value of the PDR.

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Mrs. Baker: And that is one of our directives, actually as part of the State's program. We do need to follow up and show them how we are continuing our educational aspect of this. That is something that we have had in the...

Mrs. Clark: It would be to do that deliberately over the next year and by this time next year then whether there was a bond referendum and the economy...

Mr. Hunt: And if you made your case really well, it would be easier to find a dedicated funding source too.

Mr. Coen: Staff, anything you want to contribute?

Mr. Neuhard: No I think you all have the issues on the table pretty well. Our participation would have to be educational in nature. We would not want to be advocating any one funding source. We would have to be careful on that. Y'all have a little bit more latitude than we do on that.

Mr. Hunt: Certainly, you would want to do that the right way.

Mr. Neuhard: On a personal level, all the need aside, I think the most difficult... you know I kind of think like Bob does, the point is I am very worried about failing, because you are done for a couple of years. But that is not to say, you know, there are a lot of people that have a much better feel about what the community is ready to do out there, than me, that is for sure. The second thing is that the...I really feel the particular election that you use has...plays into the hand of how successful you are going to be. You need...unless you have a super advocacy you need one where you are going to get a lot of voters out and you are gonna...just like we did...these things were major elections when these things passed. There was a national election and then the other one was in a mid-term election. If you go this year it is an off year election. Now the bad thing is, hopefully the candidates that are up for election will be supportive so people that come out to vote for them will also be voting for this. That is your key. So that your three that are up for office next time thought it would be a good idea so they could swing their voters with you when they came out to vote. It is a tough thing. One thing I did think about though and I think I heard you say this Tom, was that it may not be bad to go back to the Board and at least tell them, hey look you told us to come back in a year because you have got a couple votes on the Board who have not been through this and it could be a very interesting discussion at their level regardless of what you recommend. If you recommend we think we should go another year, it might be good to go to the Board and tell them so that everyone sitting gets an opportunity to get up to speed again and be reminded and as you said, they asked you to come back and it may be that you tell them we want to wait another year or that we are torn or whatever. I don't necessarily disagree that we should not go back to the Board to A) remind them that we are still here and B) that we were asked to come back and C) there is still value in this and that you have been doing some things. After the pilot you have been restructuring, working on the criteria and you still need that solid stream and there are a number of ways to do it and understand where we are at. It is a good opportunity to get in front of them. I would ask you to go back to them...well you don't need to go back to them on the 15th. We need to go back to them by the 2nd. You have got to decide where you want to go on that and if you wait until the next meeting you will miss that...

Mr. McClevey: And hopefully Mike, with that said, hopefully they would have participated in the dedication ceremony.

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Mr. Hunt: That would be a good reminder of the success of the program and where it is going and where we would like it to go.

Mr. Coen: Okay, so we need a motion.

Mr. Adams: Well, I think I can make a motion now. I make a motion to recommend to the Board of Supervisors that we not seek a bond referendum until the November 2011 election.

Mr. Coen: Okay, is there a second for that?

Mr. Hunt: I will second that.

Mr. Coen: Okay. It has been seconded, now we can discuss it.

Mrs. Clark: Do you want to say 2011 or just to be reconsidered next year, in case there might be a way to get a dedicated funding stream.

Mr. Coen: That is a good point.

Mr. Adams: I thought we were just looking at 2011.

Mr. Coen: Let me know if this makes sense, but we could...the motion would be that the PDR/Ag Commission or Ag/PDR Commission, I am not sure which ever way we go, would go before the Board of Supervisors to update them as to what we have been doing and as well as update them as to our discussions about dedicated funding source, with the mindset that it may be beneficial to come back next year with a specific course of action. Does that make...

Mrs. Clark: Would that be the motion?

Mr. Coen: Yes. My problem with your original motion is that is definitely says we are coming back with a bond referendum for the November election, which sort of negates what Bob was saying and maybe what Pete was saying, that they may want a dedicated funding source and that is sort of in opposition to that. Whereas we just say that we want to come back in another year, if it works with what Mike was saying about giving them an update as to what we are doing, it answers their question about coming back with the topic about a dedicated funding, it stresses we want one and it also gives us a little wiggle room for next year. So it is a typical Coen type, loads of wiggle room and loads of language. Does that make sense or was that too much verbiage?

Mrs. Baker: You either need to make a friendly amendment or...

Mr. Coen: I am going to make a substitute motion so I can get a second. Do I have a second?

Mr. Hunt: I made the second to the first motion, can I make the second to the substitute motion? Is that legal?

Mr. Smith: Technically, I don't think so.

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Mrs. Clark: Okay, then I will second it. Does everybody have some idea of what he said?

Mr. Coen: Do you need it read back? Basically, the idea is we go back to the Board, we update them as to what we have been doing the last, basically, six months, eight months. Let them know we still want a dedicated funding source and that we think that the cause would be better served if we come back next year. And we would spend this next year doing an education campaign and whatever, if the economy turns around...

Mr. Neuhard: I think you should put a number of reasons why you would want to delay it...

Mrs. Clark: Public education is a big one.

Mr. Neuhard: Economy, look at additional sources.

Mr. Coen: More specificity in the actual program. Any discussion on the long winded Coen amendment? Okay, seeing no discussion we will put it to a vote. All in favor.

Mr. Adams: We are voting on yours?

Mr. Coen: We are voting on my substitute motion.

Mr. Adams: I will say aye.

Mr. Coen: All in favor say aye.

Mr. Hunt: Aye.

Mrs. Clark: Aye.

Mr. McClevey: Aye.

Mr. Coen: Aye. All opposed? Okay, thank you for coming out and...

Mrs. Clark: Can we see what other localities use for funding?

Mrs. Baker: I will be happy to send out a recap where most of the localities are... Virginia Beach has a dedicated source but they also have a four hundred and fifty thousand person population. James City County, they also have two fund sources. One is kind of a green space open space source and then they have the PDR program. Albemarle has a foundation through, I think, the Soil and Water Conservation District. They have created a foundation to raise money. Let me get that information out to you all about the other localities and how they are funded.

Mr. McClevey: I have been surprised about the number of articles that have come out in the different newspapers about the tax credits.

Mr. Neuhard: We will always do an easement that people just want to dedicate.

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Mr. Coen: Alright, we move to unfinished business, which is the PDR Ranking Criteria.

5. Unfinished Business

- PDR Ranking Criteria and Points

Mrs. Baker: Mike has made some corrections. The one thing that we did talk about last time, I'll start with historical resources. I did take this to the Historical Commission and they actually asked for another month to come up with some language. They meet again on June 3rd and hopefully they will have information then for your next meeting so we can come back and try and work on that a little bit more. Mike has still not been able to firm up a meeting with the Soil and Water Conservation folks to talk about the one issue on implementing the plan in the conservation category. So what we thought we might do is just start going through it from the beginning and look at how you all will be looking at points on these. If we come to certain categories where there are still some questions that you all have not made a decision on, we may make the change as we go through. It might be worth it for some questions to start back at the beginning and going through looking at the points and making any corrections that need to be made.

Mr. Lott: How do we want to split the points between different categories this time? Between environmental, development, supporting agriculture and seeing how to put those points between categories.

Mrs. Baker: More from looking at the big picture first in your sections and not necessarily subsections. Explaining to us how you want to focus, if you look at each section, the first section, the quality of section A with the five different categories and all the sections were worth fifty (50) points.

Mrs. Clark: We have five sections right?

Mrs. Baker: We have five sections there. The second one was the likelihood of the parcel being threatened, and was also worth (50) points. As you know when you get other sections, they were worth fifty (50) points. So whether or not you really want to focus on points right now and or whether you want to focus on which categories that you would want to be rated more than the others. If you want them all equal or what have you.

Mr. Coen: Is there a certain quality for parcels? Like "B" is for threatened, "C" is agriculture, "D" is environmental and "E" is cultural I guess. What would you sort of give a nickname to "A" as?

Mrs. Baker: We previously had it as productivity because you are looking at the developability of a parcel of land. The developers are going to go out looking for those parcels of land that have the higher development capability. Whether that is how you all want to focus or not, that is what you need to decide.

Mr. Lott: I was trying to do that the other day and split it out to see how the points were and I was working with just the "A" category to put some of them in. Also, the first group was fifty (50) points but we added a question in there too. We need to redistribute the points to keep it at fifty (50).

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Mrs. Clark: There is nothing to say it is fifty (50). I mean we can end up with 712 points if we wanted to.

Mrs. Baker: We just left the old points on there for now.

Mr. Coen: Okay.

Mrs. Baker: How do you all want to proceed first? Do you want to look at it as a category, make that decision first or do you want to get into the subcategories?

Mrs. Clark: I like your idea Kathy about trying to assign a value to a whole question, that A, B, C, D, E, so we can look at it and vote.

Mr. Hunt: We are looking at productivity and how likely it is, how to track development, how much pressure is under for development that benefits agriculture and benefits the environment. I would put forward that I think the ranking is about the order right now. The A, B, C, D, I would go that far and say they are in the right priority. They are probably in the right priority. What is E?

Mr. Coen: E is cultural.

Mr. Hunt: I would still say that A, B, C, D, E are in about the right order.

Mrs. Clark: The "A" should probably have more point value.

Mr. Coen: Not necessarily. Currently they are equal. Actually the subtotal for "E" isn't thirteen (13) is it?

Mrs. Clark: No.

Mr. Coen: I mean, right now we only have thirteen (13).

Mrs. Baker: It's supposed to have been thirteen (13), eight (8) or six (6) and add up to thirteen (13) which was the total of the category. It was not a cumulative total.

Mr. Coen: Oh, okay. So it is thirteen (13) and ...

Mrs. Baker: We added the century farm.

Mr. Coen: You have eight (8) for cultural resources so theoretically... plus thirteen (13) for historic cultural, that would be twenty-one.

Mrs. Baker: That was a typo, it should say thirteen (13).

Mr. Lott: It should say thirteen (13).

Mr. Coen: Oh, okay. So there's only one and two.

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Mrs. Baker: The only reason that thirteen was there was to round it up to equal one hundred seventy-five when they did that.

Mrs. Clark: I think this is probably going to be closer to getting the numbers out and then going back and refining them. I'm going to make a suggestion that A4, which is the active timberland, go ahead and put in twenty points for the moment, which makes section "A" seventy points and go from there.

Mr. Coen: Anybody else? Okay.

Mrs. Clark: We do have some issues and B4, "landowners who agreed to any of the following restrictions" and that could then add up to nineteen because they look like different items. Maybe they agreed to timber buffers along streams which is ten points but they've also agreed to dwellings which is an additional six points and it would be further divided which is an additional three points. You can say a maximum of ten if you wanted to.

Mr. Lott: They could only have whichever they chose that was the highest score, that was what they got. If they were willing to do all three then they would get all ten (10). If they were willing to do six of the ten then they would get six. They did not get cumulative points. I guess we can write that in so it's specific.

Mrs. Baker: Or you can make... if you want you can give them all the points if they are going to do all three.

Mr. Hunt: Then it doesn't make A and B great. If A is seventy and B is fifty, as I look at A that is looking at the future. That is the one that's going to get ahead and B is the one that's trying to address the here and there. If we kept that at fifty, I certainly would be happy.

Mr. Coen: Kept it at fifty, can we make it cumulative or non-cumulative?

Mr. Hunt: I would say leave it at a max of ten.

Mrs. Clark: Then we have that nasty...

Mr. Coen: First of all, are you guys okay with leaving that fifty? Okay.

Mr. Hunt: So we would?

Mr. Coen: Not make it cumulative. The score would be that you would just get up to ten. So if you had no dwellings and no subdividing than you would get none. You could not get anything higher than fifty.

Mrs. Clark: At the top of page three though we have the fund leverage thing between two and three and we haven't even labeled it.

Mr. Lott: The words need working on.

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Mrs. Clark: I know because add a category which offers more development rights then allowed by right. Obviously some donation type. If you are willing to donate more you get more, that is the intent or the spirit of the question kind of thing.

Mrs. Baker: That is just because we did not add the numbers in yet.

Mr. Coen: Right.

Ms. Clark: Oh, it does have points there, I am sorry. That would be a three then, then a four or five.

Mr. Coen: I will ask at this point since you went to the negotiating, does that mean points for additional number get all the rights to be eliminated? Does that make it clear what we are talking about?

Mr. Neuhard: Yes. You know that right up front. That is the beauty of the system.

Mr. Coen: Cool beans.

Mr. Neuhard: You don't negotiate that.

Mrs. Baker: In the Silver instance, we had two additional development rights.

Mrs. Clark: Right.

Mr. Coen: we are just saying that if you put it in here, person X is saying that I'm going to do this and the maximum because of the amount of money you have is X, I'm going to throw in just because I want to and I would reward them for throwing a couple more. This year we didn't put in the future we could. That is all I'm saying.

Mr. Lott: Some jurisdictions do that.

Mrs. Baker: Yeah, a couple have, like, point five points for additional rights.

Mrs. Clark: Okay, well I understand the points for the additional number of development rights, and I understand the points for the donation of a portion of the easement by the owner for income tax advantage. The first one though, I'm not too sure where that stands. "Points for each ten percent of the total purchase price of the easement for which those funds can be applied". Going back to the state, federal or private funding, is that what we're talking about?

Mr. Coen: Yes, it's true.

Mrs. Clark: It's not clear or maybe it's just not clear to me.

Mr. Coen: And how does that same question relate to the federal funding?

Mr. Neuhard: It seems to me, from our standpoint, the number above anything we are paying for is what you are really looking for. It does not matter how they do that, they could be doing it because of

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tax purposes or they could be doing it because this allows paying for those rights. We are not concerned about that, we are concerned about having more rights getting beyond what we are paying for.

Mrs. Clark: So maybe that is the big key there, that's what we want points for, right? Like number of points for additional number of development rights.

Mr. Neuhard: We are not compensating them for that.

Mrs. Baker: I guess when you're talking about funding levels for a change, you're talking about their other money that's going to help with this so that the county is not putting up as much. You have maybe another organization.

Mr. Coen: Right, but how would that apply in the application?

Mrs. Baker: If they already have that other source determined...

Mr. Neuhard: But that would be equal to a number of development rights, right? It can't be less than the whole unit. It would be hard, that would be a negligible contribution, for \$30,000, if they're bringing less than \$30,000 it's negligible to us. Now if they're bringing a hundred thousand dollars to the table then that's equivalent to so many development rights that we're not going to have to pay for. Any funding we get, that is part of our payment. State and federal money that we have, if they are bringing it to the table themselves that is equivalent to some development units. If it's less than one then we don't care, by itself I mean, now you can have 5 1/2 development units which are bringing to the table, or six, and has developing units which would be equivalent to dollars. I'm just trying to keep it simple.

Mr. Coen: So can a category be changed to say along the lines of: additional development rights being operated... I can't think of a better way to say it, these may be but not limited to and then list it being part of some other program or additional ones being donated. Because were giving points for them being part of something that is going to get extra units and then we just say these are possibilities. Does that make sense?

Mr. Hunt: Yes. So would just be the number of development rights provided the county wants to pay for it, for example, that include but are not limited to donations, other choices of funding already identified.

Mr. Coen: Does that make sense, Mike? Gail, keep going.

Mrs. Clark: Well, I was just going to say how are we going to do the points system then? Or maybe I just found out, I'm sorry.

Mr. Coen: No, we didn't actually get to the point. At that point you can almost do the same thing with the number of units, additional X number for how many acres or whatever up to ten (10) points. You can say for every additional lot, it would apply if you're doing the state one. If you're getting funding from some other source and you're getting five and a half lots, then that would be five parcels times two or whatever.

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Mr. Neuhard: I think it goes back to, yeah, I mean the concept is exactly right. I'm just wondering if you look at the other PDR programs they were at half a point per development unit or was it like a point per development unit. I mean there's a reason they did that, we can put that down as a comparison to see if the weight is the same as their points or not. That would give us an indication.

Mrs. Clark: Are we maybe giving too many points?

Mr. Neuhard: Yeah, it may be that it's one per development unit. Two might be right but I don't know, sorry it's not a science.

Mr. Coen: Anybody else?

Mr. Hunt: You just reworded that for us.

Mr. Coen: Yes sir. We reworded them to get those categories. Okay, now go "C", "C" would be agriculture.

Mr. Lott: Actually, go back to "C".

Mrs. Clark: The urgency of circumstance?

Mr. Lott: Right, the parcel was approved with a preliminary subdivision plan and was signed. We can come back to that later.

Mrs. Clark: I thought we would give that one a four also. This kind of preliminary subdivision plan is urgent and I think that I would give it more than four.

Mr. Coen: I sort of feel awkward with all the comments, and a brilliant man once pointed out to me that I could call up my realtor the day before for my application and stick a sign in the yard and get the points for it.

Mr. Adams: I know that now.

Mr. Coen: So I sort of feel awkward about the concept, saying that because you do it the day you apply, you get more points. I think that the idea that the for sale, the preliminary subdivision plan, that type of stuff is legit but I feel awkward about saying you more points.

Mrs. Clark: So do you feel that we ought to eliminate that?

Mr. Coen: I don't know.

Mrs. Baker: We did talk about setting parameters for six months or something like that.

Mr. Coen: Yes.

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Mr. Hunt: As long as this goes on, I don't know how quickly you made a decision on Jerry Silver but I don't get the impression that it happened over a couple meetings. I think I would support dropping that one. You could easily put a sign up for six months.

Mr. Coen: And just ignore it when people come and offer.

Mrs. Clark: I even have an issue about the older than the average County farmer.

Mr. Adams: Right, because every year the age going to go up one year and I'm still always going to be two years younger.

Mrs. Clark: There is a piece of land that does have a preliminary subdivision on it and the financing did not end up going through. I thought to myself, if he had gotten it, he's a young guy and could have used the extra money. The whole idea was to have his own farm and pass it down to his son and he was going to take it out of the preliminary subdivision and put it all back in A-1 and farm it and yet he would've been 30 years old. So he would not have gotten any... Oh well, he would have gotten the other point I but I'm thinking that sometimes it's the young ones that need the money more than the older ones.

Mr. Adams: And I talked to a young guy that my daughter went to school with and he asked me about it, he indicated that he would have done the same thing. If he knew he could get the money then that would be just enough to allow him to buy this hundred acres which is out of reach now.

Mrs. Baker: And this came from the studies that have shown that older farmers are more likely to sell out to development because they want to take care of their kids and they want to have something to lean on. That is the only reason. Most of the localities have that. That is the only reason, most of the localities have that in there just for that reason. Just because of the statistics that are associated with it and I can get you all more information on it if you like.

Mr. Coen: Are we okay with keeping it as is?

Mr. Adams: I would get rid of that. I would like to see somebody like your son is going to purchase the place with the idea of putting it in. With contingencies he could say goodbye to this place for million dollars contingent upon getting \$300,000 in PDR money from Stafford County or whatever.

Mrs. Clark: We are not going to move that fast. We are to move so slow and that's not ever to happen, I think.

Mr. Coen: So strike out marketed for voluntary sale, and then move the six points down for the approved preliminary subdivision plan. Okay.

Mrs. Clark: Well, are we flipping the page yet? Where it says non-farm rural residential, are we going to go back to that again?

Mr. Coen: Which one? Where are you?

Mrs. Clark: Bottom of page three.

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Mr. Coen: We switched it from two to three.

Mr. Lott: We've talked about this question many times.

Mr. Adams: I look at the two pieces of property on 610 that's been around for 30 years, the one with the big oak trees across from Park Ridge. I really think that the points need to be almost inverted. When I look at those two parcels, will more lots mean its worth saving it more.

Mr. Hunt: I have said that early on.

Mrs. Clark: There is a difference in philosophy here.

Mr. Adams: Maybe even after I finally understood that somehow and, I guess, maybe we take care of it in one of the other sections, but if it's in that urban services district...

Mr. Hunt: Urban Service Area.

Mrs. Clark: But if you look at, it's under "C", any circumstances supporting agriculture. Frankly, to support agriculture is more important to have contiguous or more farmed groups together than it is to have a piece of property across from Park Ridge. I would not say that it's not a value to keep the piece of property across from Park Ridge but if you're moving your hay equipment, you're spreading anything, it's more important to have as many farm neighbors as possible. That's important. If it's under the category "supporting agriculture", I would say. Now having said that, I know an awful lot of farms with the exception of Park Farm probably, zero to three dwelling units just doesn't happen.

Mr. Lott: I told you there were maybe three or four parcels in the County left that you could get eight points for.

Mrs. Clark: And you have questions to where you did the half-mile?

Mr. Coen: Right, that's under the property from the edge.

Mr. Lott: Right, I did that differently last time. When I first did it, I dropped the center and drew a circle around it, then I decided to do it the other way from the edges. There would be more on a bigger farm.

Mr. Coen: Okay, can I throw out a compromise? There were two trains of thought, in the agricultural category, this makes sense what you said. More open space for the hay truck, etc. but somewhere in "B" we should put you to the same type of thing but inverted for what Bob was saying. In skimming over that, I don't see something in "B" that's necessarily relevant to what you are getting at, Bob. And I would also buffer up to the "B" points a bit. It goes with which you are saying, the number of non farm parcels in the middle of Leeland Station area would be something that was 50 point. So maybe we want to look at something in "B" for that and leave "C".

Mrs. Clark: Are we only doing A-1 and A-2?

Mrs. Baker: That's how it is now.

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Mr. Coen: Yeah.

Mrs. Baker: I guess that goes along with the way the comprehensive plan is, to focus your development in the urban services area and try to get your development out...

Mrs. Clark: Which is Leeland Station.

Mr. Coen: Right. I always think about how Lee Simmons has a nice chunk of farm land near Leeland Station and it wouldn't qualify under a lot of this and even though his wife says we are never going to build on it, it would be a good thing for you. I think the concept should be a little bit more...

Mrs. Baker: They would just cancel each other out.

Mr. Coen: That is why I said they don't necessarily have to be equated the same as you pointed out. We are going to have to revalue, reconfigure that anyway because if it is not practical then there is no point having a point scale that is not realistic.

Mrs. Baker: Yeah, but Mike, where was your one change of proximity to other farms?

Mr. Lott: That was on three and I needed to add the twenty acres or greater to it. I will type that in.

Mrs. Baker: Maybe that is where you get your points under this section since we added the proximity to other farms.

Mrs. Clark: I am going to go back to my original concern which is still there. When it comes to points, I want to make sure that there are right many points in the section "Circumstances supporting Agriculture". Our problem has been that we have not been able to find wordage in a nice, easily calculated, quantitative way to figure out what it means to support agriculture. We were taking pieces out of this category and that seems to be easier than putting them in. We can get rid of one if you want to but I want the total put points to stay relatively...

Mr. Coen: If we split number two, that has not been done, has it?

Mr. Lott: No.

Mr. Coen: So we could eliminate one and when we figure out how to split number two there would be a way to keep these points up.

Mr. Lott: You can always bump up three to twelve points.

Mr. Coen: Right.

Mr. Adams: How are we defining existing farms?

Mr. Coen: Twenty acres or greater was a parcel of land.

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Mrs. Clark: I am going back to number two, just because you're close to an easement does not mean you are supporting agriculture.

Mr. Coen: Right.

Mr. Adams: I had a question about that easement that Andy Garrett put just across from me. I know I got points for it and I know the easement is there but I don't know what kind of easement it is, what its for or why its there.

Mrs. Baker: It is a Department of Forestry easement for timbering.

Mr. Coen: Not that I want to get into the weeds of this but we did have the discussion of what types of easements are acceptable and are not.

Mr. Lott: Intrinsic value greater than another.

Mrs. Baker: And you are going to get into a little bit of an issue if you start breaking those out because there are so many out there that we have not listed and there are so many more that are coming. Land trusts even that are moving into the area, or the regional ones now that are accepting ones from the area, so you do have a variety.

Mrs. Clark: Which means then we are back to one question. If you take out the quality of the easements...

Mrs. Baker: It depends on how... you have to be able to define what your quality of the easement is and that is the only concern I have.

Mr. Lott: We might want to word it a little bit stronger. For perpetual conservation the last time, I ended up giving points to somebody that showed a conservation easement but was little more than a sign in their yard.

Mrs. Baker: It is still a conservation easement because they can't develop that property where the easement is.

Mr. Lott: In that case, it was like one hundred square feet.

Mrs. Baker: I am just saying, how do you make that distinction? And you have to be able to do that, you have to be able to show that.

Mrs. Clark: In "Circumstances supporting agriculture", we are down to proximity to an easement, proximity to another farm, and a batch.

Mr. Coen: We could bump the points up. I think that number one has merit to it, even if they are not... If you go down Colebrook Road or if you are going down the other road that the Young's have a farm on and they drive their tractors and what not to other properties and there is only one house per every ten to fifteen acres, that is a heck of a lot better then when they try to go up and down Ferry Road. I do think there is merit to something in here, I just don't know...I think we need to reword it.

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Mr. Lott: Zero to seven and eight to eighteen and you can change the categories.

Mr. Coen: Right, I am okay with keeping it in there and I am okay with bumping it up and tightening up the wording on number three and just bumping up the points.

Mrs. Clark: I can see how we end up with environmental which we can quantify that out.

Mrs. Baker: Do you all want to keep thirty-two as the maximum points for this category?

Mr. Adams: I think Gail is saying no.

Ms. Baker: Or do you want to change... We can work backwards if you tell us the maximum points that you all are looking for.

Mr. Coen: It is seventy now for "A", fifty for "B", is it four questions. Go forty for "C". So now we are into "D".

Mr. Hunt: The top level in there, if you had seventy, fifty, forty, thirty and twenty you would have it about balanced. I am using arithmetic, not logic. You would have it about balanced.

Mrs. Clark: I really think, though, that there in the environmental, we have a category that doesn't have any purpose, although I would say that a wildlife corridor is the entire A-1 property.

Mr. Lott: We can adjust the points. We can adjust them to stay at thirty, that is not hard to do.

Mr. Coen: If memory serves me correctly, with number one, wasn't it hard to do for somebody to get the points.

Mr. Lott: Well, there is only one area in the County where you could get that point.

Mr. Coen: Right. So, you either would have to say that we don't need anything for C-1 or say C-1 and C-2 get it.

Mrs. Baker: Again that would be a maximum.

Mr. Coen: I know that, but it is sort of how to redistribute the points because nobody could really get C-1.

Mr. Lott: There are a few properties out that way, it is not a lot unfortunately.

Mrs. Clark: Is there much in C-2?

Mr. Lott: It is more of the others. You go down a category and look at the geographic area.

Mr. Coen: I mean we could keep it at ten (10) and just knowing that nobody would get higher than an eight (8).

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Mrs. Clark: Or you make your first category C-1 or C-2 gives you ten points and then C-3 gives you eight, C-4 gives you six, C-5 gives you four and oh well.

Mr. Coen: Right.

Mrs. Clark: And that gives you the benefit of the doubt, I am giving you points for environmental.

Mr. Lott: It will add up to thirty points.

Mr. Coen: Okay.

Mr. McClevey: Might I ask the question, you answered it once before but I forgot what you told me. It's unlikely that you would have a gradation on a tract of land where you have C-1, C-2, C-3 and grading?

Mr. Lott: We decided to do that weighted average from the way you guys were leaning last time. We would assign a percentage of each parcel, there are... Like in the area where there is C-1, it is a big enough parcel like Westlake or Vulcan Quarry where it would have at least two on there but if you give it as a weighted average that would end up covering that. Basically, ten percent of it would get ten points which is the average. In reality, no one is ever going to get ten points, they are always going to get less than what these are. No one is going to have an entire parcel of C-1 or C-2, generally it's not likely, especially, unfortunately, because of the farm and if you look at the way it is a goes around cleared land. So that would be three hundred fifty acres of natural woodlands otherwise it would be weighted in average.

Mr. Coen: Do you know if the Comprehensive Plan would allow a wildlife area? Number five says it is contiguous to land identified in the Comprehensive Plan as a wildlife area. I know that's not back-and-forth, do we know that's actually...

Mrs. Baker: That is not going to specifically be in the plan until there is a secondary update to the save the wildlife habitat plan where would be done, but not on the overall Comprehensive Plan

Mr. Coen: So we need to change the wording?

Mrs. Baker: Well, I think it needs to stay in case it is identified down the road. There may be an area...

Mr. Neuhard: Leave the wildlife element.

Mr. Lott: That why it stays in there, in case we ever got that far.

Mr. Coen: Cool. Any other changes to the environment?

Mrs. Clark: What about number four? Are we going to redistribute?

Mr. Lott: I will go through here and assign the thirty points.

Mrs. Clark: Everything east of Route 1 gets steeper and steeper.

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Mr. Adams: I got a few points for perineal stream.

Mr. Coen: That is a fair question.

Mr. Lott: I mean there are areas of C-2 in all of this scattered around.

Mr. Coen: There has to be C-4 too, wouldn't it?

Mrs. Clark: A lot fewer than there were.

Mr. Coen: Alright, so there are a couple that would qualify. Okay.

Mr. Lott: So, you want Section E to have 20 points.

Mr. Coen: Yeah. Okay, so we finished that unfinished business, so any discussion on the ranking?

Mr. Adams: I am just looking at the Section A, number five, with the soil and water district. I know I have all this but does it include NRCS, which is just a different agency?

Mrs. Baker: We are still going to visit this question once we can meet with the folks.

Mr. Hunt: I am going to make that meeting happen. It could be Soil and Water, it could be NRCS.

Mr. Adams: I just know personally dealing with Ron, they would say what we are trying to do here, you would be better off in this program and that program.

Mr. Hunt: Ron sits on that Board.

Mr. Adams: Yeah, I know, that's why sometimes it is better to give the state money away and sometimes its better to give the federal money away.

Mr. Hunt: If you would like, I will take the responsibility.

Mr. Lott: I mean, I know they had their big plant sale thing last weekend.

Mr. Hunt: Yes, but that is hard to explain....

Mr. Lott: I did not get any email saying I'm busy, I'll do it later.

Mr. Hunt: I will take that question, though, and I won't ignore NRCS. Their intent is to show that they have conservation plans written and I would even go further and say forestry plans and that is of value too. It won't change the value of it and won't change anybody's points.

Mr. Coen: Okay, anything else? Marty, anything else on the ranking? He still has a ranking face on.

Mr. McClevey: I am comfortable for now.

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Mrs. Baker: I think what is going to happen when we start going through the ordinance itself is do some final tweaking. You don't have to necessarily vote to have this right now. We could move forward, I think.

Mr. Coen: Can we send a copy of this re-ranking and this point thing to Pete so he can have this for the next meeting?

Mr. Lott: Yes.

Mr. Coen: Thank you. I guess seeing no new business...

Mr. Hunt: This is not critical but I probably won't be here on June 28. I think I will be on a bird watching trip in Maine.

Mr. Coen: Gail, did you want to speak.

Mrs. Clark: I did have two quick things. The Howells, Shannon and Cessie, really are into trying to get a farmers market going and they had been in contact and said the county has been so helpful. So, I thought we ought to know that. I told Shannon that we were in the middle of doing PDR stuff, hot and heavy, but I think if she and Cessie would like to come to a meeting at some time to talk to us. They originally wanted to do something in Falmouth Beach this weekend.

Mr. Adams: I got an email and said that I would talk to them next year.

Mrs. Clark: Right, and that is what she said. She got two people to respond, you and someone else, the Alpaca lady from down on 17, were the only people buying into it. She called and said she wanted to do it this weekend and I am thinking I can take two batches of onions. Just to know what we talk about in Ag Committee sometimes, what we really needed was a market manager, somebody to handle it because they knew that our committee could not do that. What we've got is a situation, Shannon and Cessie, they have got energy and contacts. I do think that the Howells may be able to pull this off. We talked about Falmouth Beach because they are all into the historic preservation and all. I thought traffic could be a nightmare, that she might want to consider other places, but she has reconsidered just that and thinks that by next year they should be ready to go. I told her to call you. Did she call you?

Mrs. Baker: I was in on some initial meetings when they were trying to get going this year. I have not talked to her since then about coming to a meeting.

Mrs. Clark: That was sort of an FYI. And then remember when Elizabeth Borsh came and talked to us about the Buy Fresh/Buy Local initiative. I know you have put in and I have put in but there is nothing there yet. She put me there with the Buy Fresh/Buy Local paper...local to Stafford, Spotsylvania, Fredericksburg and King George and maybe Caroline, I am not sure. But the big issue was she had no money to actually print the thirty thousand copies. So I asked her what was going on. She did get Northern Neck vegetable growers and she said MWHF which I guess is Mary Washington maybe Health Foundation or something, I think is it part of the hospital. Or maybe Mary Washington Hospital Foundation, to do some funding and VDACS is doing some funding. So, she is going to get thirty thousand of these out and distributed, but it is not going to be until mid June. She said if there is

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interest she might try to redo it for the fall. She is looking for additional funding. I am going to help her, maybe with the Farm Bureau for part of that. It is a well that does have an end, so I am not sure how much I can get for her. But that is in the works. She is trying.

Mr. Coen: If either of you talk to either Cessie or Shannon, remind her that Andre Nugaret said the school system was agreeable to the idea of doing it at a school. So let her know that they can contact me and I will contact... I will go forward on that again.

Mrs. Clark: I told Shannon to get in touch with Elizabeth, because Elizabeth had a lot of practice now with running the market on Gordon Road.

Mr. Coen: Just have them talk to me.

Mr. Neuhard: So the issue that comes up is the use and the type of area that you are in. That is one of the hurdles, that is why it ended up in a park, one of the principal reasons. So that would be the same. When you start moving it around you could complicate things, so just make sure that use is allowed in that zone.

Mrs. Baker: Right now we do not have a definition for farmers market. It falls under a definition of flea market and one of the discussions with the Zoning Administrator is maybe you want to create a definition exactly of what a farmers market is and put that in the Zoning Ordinance at some point.

Mrs. Clark: She was definitely looking at the kind where you can have events and music and maybe crafts, as well as farmer fairs.

Mr. Adams: Because I do so many of them, like in Manassas you have got to have a license to sell at the farmers market. Well, guess what, they don't charge you for it and they do all the paper work and they just show up at the first market and say, here is your license. They, the City of Manassas, are the ones actively making sure that the farmers market is there. It is the same way with the Town of Warrenton, they take the municipal lot and I don't know if they have got definitions or what they've got, but the town is the one that is making sure that the farmers markets happen, not the farmer themselves.

Mr. Coen: Would the schools fit under the...I don't know...

Mrs. Baker: They would have to do a flea market. It would have to fall under the flea market definition.

Mr. Coen: Does school zoning already have that?

Mrs. Baker: Schools are zoned different things. It would depend on where...

Mr. Coen: Who can I call to ask?

Mrs. Baker: Me.

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Mr. Coen: Okay, I will contact you and we will figure out...if they are going to go forward it would be helpful to know ahead of time.

Mrs. Baker: Yes, we went through all of that with them at the time. We told them what districts where certain things were allowed when they decided to do that.

Mrs. Clark: And she is working with...she thought that a million dollars liability would be an affordable issue, but she is working on that with some insurance person who could probably get a group chunk or something. I don't know.

Mr. McClevey: I am not familiar with this at all. So this is new information on farmers market. Are you trying to...

Mr. Coen: You weren't there last year. She came and talked to us last year, I thought.

Mr. Adams: At the Ag Committee.

Mr. Coen: That is right. I guess it was in a different room. Okay, sorry.

Mrs. Clark: I think that Stafford County is like the only area in the vicinity that does not really have a farmers market.

Mr. McClevey: You mean a designated site for farmers to bring their goods?

Mrs. Clark: C & T has their stand, but they own that.

Mr. Coen: So other people can't show up.

Mrs. Clark: Right, but the North Stafford lot...

Mr. Coen: There are a few around, but they are not exactly...

Mr. McClevey: I have seen one at a VDOT commuter parking lot and I have seen one in different places. These are not legal or something? Not sanctioned?

Mrs. Baker: The one in North Stafford has a VDOT permit and they also had to get a permit...

Mr. McClevey: Why don't we have...

Mrs. Baker: We don't have the resources to run one.

Mr. McClevey: Are we just simply taking about designating a location?

Mrs. Baker: That was the big discussion through the Ag Commission for the last couple of years. The first thing is trying to get people that are interested in being the vendors. It is going to take somebody to go around and make all those contacts and get your vendors first before you even work on setting a

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site. Because you will have to make sure your site is appropriate for the number of people that you want. That was the biggest problem, not having the interest and enough vendors to do it.

Mrs. Clark: And she was talking about organic...and I tried to sort of talk her out of that because a person has to be certified organic.

Mr. Coen: So, you would need, like, a manager to take charge, make the contacts, to be in charge of...you know if Mike shows up with a truck full of stuff, is he paid? Does he have all the tax stuff? Does he have all his ducks in a row and paid for. The answer is we love it but we don't know that we here can do that consistently.

Mr. Adams: What I would tell you Marty, for ones I am at - the City and the Town are almost providing that as a service to their residents, is the way they approach it.

Mr. Coen: So, that is the stumbling block.

Mr. McClevey: As a committee, do we need to make a motion that we need to have them...

Mr. Adams: From what Kathy said we have to determine what the heck a farmers market is, it sure is not a flea market.

Mrs. Baker: Correct.

Mr. McClevey: And is it something we want to promote in the county.

Mrs. Clark: Well, I thought if we can get a farmers market going that might be helpful tying into PDR too, as far as a venue for education.

Mr. Hunt: Exactly.

Mr. Coen: I guess one thing that we could do is start working on the idea, as you had mentioned, talking to the Zoning person about a specific category. We could start the ball rolling on that. Maybe with Cessie and Shannon working and Elizabeth working, if we start...let's say we know this is going on now let us start the governmental side.

Mr. Hunt: What I would find interesting if it would not be too much research would be...King George just started a farmers market and I think Spotsylvania has one. Fredericksburg has one, I think it is a farmers market...

Mr. Adams: Seven days a week, yeah.

Mr. Hunt: It would be interesting just to have an idea of what the other counties are doing, how they are doing it and what their options are.

Mrs. Baker: We have collected a lot of that information.

Mr. Adams: There are twenty of them in Fairfax.

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Mrs. Clark: I think Elizabeth would probably come back, I think Shannon would be willing to come. And if we are going to put off PDR funding for another year we won't...

Mr. McClevey: Does Virginia Department of Agriculture and Consumer Services need to inspect these? Are there inspection requirements?

Mr. Neuhard: No.

Mr. Coen: No.

Mrs. Baker: You do have, I guess, health department requirements...

Mr. McClevey: If there is something that we can do, specifically, we can start, that proves beneficial.

Mr. Coen: I am sort of gathering that if we decide to put off the PDR for another year as far as pressing it, besides working on the celebration event and fine tuning our ranking and points, that would be a logical transition for us to move into to see what we can do for the farmers market again. Especially now, that these other entities are there to help, rather than just dumping on staff, which we ended up doing for three years. Okay, any other questions on the farmers market?

Mr. Adams: The one reason you want the county involved...if the county is involved you can use the SNAP program. In a private farmers market you can't do the SNAP program, which is what I call the food stamp stuff.

Mrs. Clark: That is what Elizabeth is doing at Gordon Road. She got this...

Mr. Adams: Manassas is doing it now too.

1. Next Meeting – June 28, 2010 Regular Meeting

Mr. Coen: Okay, our next meeting is slated for Monday the 28th. Mr. O'Hara did mention that is his last grad class, after that he is back to Mondays being free, so I did not know if it would behoove people to move our meeting to Tuesday the 29th instead of Monday the 28th.

Mr. Hunt: Then I might be home. I am going the week before that and I am not coming back until Monday.

Mr. Coen: Okay, is there a feel...staff how do you feel?

Mr. Adams: I would not make the 29th, I got a farmers market that night. I will be in Fairfax until 6:30.

Mr. Coen: Okay.

Mr. Adams: At least that would just be one missing instead of two.

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Mr. Coen: That is true. At least we would have a quorum if we at least...yeah. If we go for the 28th, we will have a quorum because we will have four. If we go the 29th we will have four...so it is four either way, maybe five.

Mr. Hunt: Maybe five, but I would not count on it.

Mr. Coen: It does not matter to me one way or the other. I don't know...either way...

Mr. Adams: I am just saying Tuesday, I have a conflict.

Mr. Coen: Okay.

Mr. Adams: I could not get here by seven.

Mr. Hunt: Keep it the same is always easier for me, because then you would have it scheduled and you know that. But since I am not here you do what ever you want to.

Mr. Coen: Okay. Mike, do you envision us finalizing dealing with this?

Mr. Neuhard: You need to start the Ordinance also.

Mr. Coen: I am almost inclined to move it to Tuesday, because you have seen this and Peter has not, it sort of makes me feel like, if the two of you can't be here at least you have seen it once. You can mull over it and think about it whereas he has not seen anything. Do you feel that is fair? I just sort of feel it will make him feel his input is valued. Okay, so are we okay with the 29th then? Okay the 29th it is.

Mr. McClevey: Just for the record, I wanted to apologize to Bob and Mr. O'Hara. I think at the last meeting I came across as maybe condescending, by lecturing you on the issue of the program. I did not want to come across as...

Mr. Hunt: I did not feel...Thank you, you did not need to apologize.

Mr. McClevey: I was listening to what you were saying, but I was not hearing what you were saying and it was valuable information.

Mr. Hunt: Thank you.

Mrs. Baker: Do you want to get into farmers market next meeting or wait to the meeting after.

Mr. Coen: I am thinking the only thing we need the next meeting, correct me if I am wrong, is the ranking.

Mr. Neuhard: What I would suggest is maybe we could do some initial lining of the Ordinance, so that it is close and then you just need to take a look and see what suggestions...

Mr. Coen: Do you want to wait until the one after for the farmers? Till July?

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Mrs. Clark: I don't care, but I would say let's get...

Mr. Coen: Why don't we aim for farmers in July and that gives you two months to dig out all that stuff.

Mr. Adams: The farmers market, we are not even going to be looking at vendors until January or February. Now that she understand what is going on.

Mr. Coen: Okay, so just Ordinance. Do I have a motion to adjourn?

2. Adjournment

With no further business to discuss, the meeting was adjourned at 9:02 p.m.